

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

ROGER M. HASELTON,
Plaintiff

v.

STATE OF VERMONT,
TOWN OF FLETCHER,
UNNAMED TRUSTEES,
Defendants

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File No. 1:06-CV-39

ORDER

The Magistrate Judge's Report and Recommendation was filed October 26, 2006 (Paper 28). After de novo review and over objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). The State of Vermont's motion to dismiss (Paper 11) and the Town of Fletcher's motion for summary judgment (Paper 16) are GRANTED, and the case is hereby DISMISSED.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 13th day of November, 2006.

/s/ J. Garvan Murtha

J. Garvan Murtha
United States District Judge